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**IN THE UNITED STATES DISTRICT COURT,
DISTRICT OF UTAH**

SanMedica International, LLC, Quality IP
Holdings, LLC

Plaintiffs,

v.

Metabolic Research Center, Metabolic
Research Center of Brevard, County, Inc.,
Metabolic Research Center of Fort Walton
Beach, Inc., Metabolic Research Center of
Jacksonville, Inc., Metabolic Research
Center of Merritt Island, Inc., and John Does
1-10,

Defendants

**DECLARATION OF STEVEN W.
GARFF IN SUPPORT OF
PLAINTIFFS' EX PARTE MOTION
FOR LEAVE TO SERVE
DEFENDANTS BY ALTERNATE
MEANS THROUGH PUBLICATION**

Case No. 2:20-cv-00316-JNP-DAO

I, STEVEN W. GARFF, declare as follows:

1. I am counsel of record for Plaintiff SanMedica International, LLC ("SanMedica") and Plaintiff Quality IP Holdings, LLC ("Quality IP Holdings") (collectively "Plaintiffs"). I have personal knowledge of all the matters testified to in this Declaration, unless otherwise specified.

2. Prior to filing the Complaint, I hired a Private Investigator, J&J Investigations, LLC, to try to locate Defendants, Metabolic Research Center, Metabolic Research Center of Brevard, County, Inc., Metabolic Research Center of Fort Walton Beach, Inc., Metabolic Research Center of Jacksonville, Inc., Metabolic Research Center of Merritt Island, Inc. (Collectively “Metabolic” or “Defendants”). J&J Investigations determined that the address for all of Defendants is 3229 HWY 17, Green Cove Spring, FL 32043. Plaintiff hired a process server, ABC Legal, to serve Defendants at that Address.

3. ABC legal informed me that on May 27, 2020 ABC Legal attempted to serve Defendants at that Green Cove Spring Address. The person who met the process server refused to give her name and claimed that it was the wrong address and that this was not the location of Metabolic Research.

4. ABC legal informed me that on June 1, 2010 ABC Legal returned to the Green Cove Spring Address to again attempt to serve Defendants. This time the process server was met by a different individual who also refused to give her name. The process server noted that “Non-residency indicated by property manager states not resident. This is property security services. It is not metabolic research center.”

5. ABC legal informed me that on August 25, 2020, ABC Legal attempted to serve Defendants at a potential alternate address that Plaintiff’s investigation located for Defendants, 6191 W. Shore Rd, Flemind Island, FL 32003. There was no answer at the door.

6. ABC legal informed me that on September 7, 2020, ABC Legal returned to the Flemind Island address in an effort to serve Defendants. Again, there was no answer at the door and the process server could not locate any numbers to call.

7. ABC legal informed me that on September 18, 2020, ABC Legal returned to the Flemind Island address in an effort to serve Defendants. An individual who would not give his name said that the correct address is for Metabolic Research center is 3229 Highway 17 Green Cove Springs (where Plaintiff already made two unsuccessful service attempts as was told by people who refused to give their names that it was the wrong address) and said this building is vacant.

8. I am informed by J&J Investigations, LLC that Defendants do not appear to have active registered agents and I have been unable to locate any such agents on the Florida Secretary of State Website.

Dated: October 26, 2020

/s/ Steven W. Garff
Steven W. Garff